

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ALFONSO PERCY PEW,

Plaintiff,

v.

JOHN E. WETZEL, *et al.*,

Defendants.

No. 1:21-CV-00421

(Chief Judge Brann)

(Magistrate Judge Carlson)

ORDER

FEBRUARY 18, 2022

Alfonso Percy Pew filed an amended complaint alleging that numerous individuals violated his rights.¹ In December 2021, Magistrate Judge Martin C. Carlson issued a Report and Recommendation recommending that this Court grant Defendants’ motion to dismiss the amended complaint.² Magistrate Judge Carlson reached this recommendation after determining that: Defendants’ motion should be deemed unopposed under the Local Rules; Pew has failed to prosecute this action; and Pew’s claims are improperly joined in a single lawsuit.³ Pew filed timely objections to the Report and Recommendation.⁴

“If a party objects timely to a magistrate judge’s report and recommendation, the district court must ‘make a de novo determination of those portions of the report

¹ Doc. 44.

² Doc. 55.

³ *Id.*

⁴ Doc. 56.

or specified proposed findings or recommendations to which objection is made.’’⁵ Regardless of whether timely objections are made, district courts may accept, reject, or modify—in whole or in part—the magistrate judge’s findings or recommendations.⁶ After reviewing the record, the Court finds no error in Magistrate Judge Carlson’s recommendation that Pew has failed to prosecute this action and has improperly joined numerous claims and that, therefore, Pew’s amended complaint must be dismissed. Consequently, **IT IS HEREBY ORDERED** that:

1. Magistrate Judge Martin C. Carlson’s Report and Recommendation (Doc. 55) is **ADOPTED**;
2. Defendants’ motion to dismiss (Doc. 45) is **GRANTED**;
3. Pew’s amended complaint (Doc. 44) is **DISMISSED** without prejudice to his right to bring his disparate claims in separate civil actions; and
4. The Clerk of Court is directed to **CLOSE** this case.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann
Chief United States District Judge

⁵ *Equal Emp’t Opportunity Comm’n v. City of Long Branch*, 866 F.3d 93, 99 (3d Cir. 2017) (quoting 28 U.S.C. § 636(b)(1)).

⁶ 28 U.S.C. § 636(b)(1); Local Rule 72.31.